

N.C. Division of Aging and Adult Services, Administrative Letter No. 08-09
Adult Services Section

Date: September 10, 2008

Subject: Special Assistance Eligibility for Facilities
Alternative Family Living (AFL) Facilities Licensed under 10A
NCAC 27G. 5600 F

Distribution: County Directors
Special Assistance Supervisors

Effective Date: September 12, 2008

I. Background

- A. Special Assistance (SA) Administrative Letter DAAS-08-08, August 19, 2008, pointed out that a large number of SA cases were found to have corresponding EIS facility codes indicating that the facility either is not SA approved or does not have a Civil Rights agreement on file. The purpose of Administrative Letter DAAS-08-08 was to provide instructions on how to correct the SA data, and to assure that SA recipients are residing in licensed, SA approved facilities in advance of the implementation of an edit in early September that will not allow case entries or changes to be made if the facility code is invalid.

A report in NCXPTR, **DHREJ SA CASES INVALID FACILITY**, lists all cases with invalid facility codes and has been updated effective September 8, 2008. This report will not be mailed to counties. Please access this report using NCXPTR.

- B. The purpose of this letter is to confirm that effective September 15, 2008 an online (EIS) edit will be in place which will not allow entries or changes to SA cases with invalid facility codes. If an incorrect facility code is entered, an error message "**DOM FACILITY MUST BE SA ELIGIBLE & HAVE CIVIL RIGHTS AGREEMENT**" will be displayed.

Invalid facility codes for this edit will consist of those codes where the SA eligible indicator or the civil rights indicator is not a "Y" (yes). The correct facility code must be entered before a change will be allowed to the SA case.

- C. A significant number of recipients from the NCXPTR report referenced in A. above were found to be living in facilities licensed through NC General Statute 10A NCAC 27G.5601(c) (6). 5600 F. Persons living in these facilities, referenced as alternative family living (AFLs), or 5600 F facilities, are not eligible for SA.

Special Assistance, as a qualifying optional state supplement to the federal Supplemental Security Income (SSI) Program, must comply with controlling federal rules. AFLs as defined in the State statute do not meet

the federal definition of a qualifying institution and therefore are not authorized to receive Special Assistance payments. However, SA recipients who are current residents (as of the effective date of this Administrative Letter) of such facilities will have continuing eligibility as long as they remain in the same facility in which they currently reside.

- D. The cases of identified residents of 5600 F facilities will have an exempt EIS code which will allow counties to make changes, except for the three digit facility codes. The case data page in EIS will display **EXEMPT DOM FACILITY CASE** across the bottom of the screen. If the facility code is changed, the case will lose its exempt status.

Note: Because the SA eligible indicator and/or the Civil Rights Agreement indicator are "N" (no), counties will not be able to view the EIS facility inquiry page for 5600 F facilities.

- E. A monthly report identifying exempt SA 5600 F cases is found in NCXPTR, titled **DHREJ EXEMPT SA CASES**. If there are no cases listed for a county, the county has no residents receiving SA identified in 5600 F facilities. This report will not be mailed to counties. The report includes:

1. County Name and Number
2. District Number
3. Case Id
4. Facility Code
5. Casehead Payee Name
6. Facility Name
7. Program Aid Category

- F. There are currently about 244 5600 F facilities in North Carolina. The [Division of Health Service Regulation \(DHSR\)](http://www.ncdhhs.gov/dhsr/data/mhllist.pdf) maintains a list of mental health facilities licensed under G.S. 122C. The list includes SA eligible 5600 A and 5600 C facilities as well as the 5600 F facilities, which are not SA eligible. This list is found on the DHSR website at <http://www.ncdhhs.gov/dhsr/data/mhllist.pdf>

II. New applications for 5600 F facilities

- A. Applications taken on or after September 15, 2008 must not be approved for residents of 5600 F facilities.
- B. Counties will be required to reimburse the State for any new cases approved for 5600 F residents if the date of application is September 15, 2008 or later.

III. Active Cases

Active identified SA recipients residing in 5600 F facilities may remain on SA as long as they are living in the same facility and meet all other eligibility requirements. If the exempt SA case terminates, transfers to another aid

program/category, or changes to another facility code, the case is no longer exempt.

Note: If case is erroneously terminated by the county, contact Brenda Porter, DAAS SA Program Coordinator (Brenda.Porter@ncmail.net).

IV. When a Facility's SA Eligible Status Changes

- A. Facilities often change from SA eligible 5600 A or 5600 C to ineligible 5600 F, or they may change from SA ineligible 5600 F to SA eligible 5600 A or 5600 C.

NCXPTR now has a daily cumulative report effective September 15, 2008, named **DHREJ SA ELIG DAILY IND CHANGE**. This report lists facilities for which the SA eligible indicator and/or civil rights indicator has changed from "Y" to "N" or from "N" to "Y".

The report lists facilities in alphabetical order by name and includes the facility code, type, SA and Civil Rights indicator change, date of change and site county. Counties should review the entire list as county SA recipients can reside outside of their official county of residence.

- B. SA recipients living in SA eligible facilities which change to SA facilities ineligible to accept SA must be issued a timely notice of termination via the DSS-8110. Please make sure continuing eligibility for Medicaid is evaluated.
- C. DAAS Change Notice 02-08 issued September 12, 2008, highlights these changes incorporated into Special Assistance Policy Manual Section SA-3120, EIS Instructions for SA.

If you have any questions regarding this information, please contact your [Adult Programs Representative](#), or Brenda Porter, SA Program Coordinator at (919) 733-3818.

Sincerely,



Dennis W. Streets
Director

DWS/cu